



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work:

The Bureau of PECFA is seeking competitive bids to perform remedial action services on a petroleum release from a regulated petroleum product storage tank system. This bid is through a specified work scope. The site upon which bids are being solicited is:

Bid Round Number: 40
Comm Number: 54665-9533-95-A
BRRTS Number: 03-63-175844
Site Name: James Scrivner Property (Former Cheese Factory)
Site Address: S4595 County Rd S Viroqua WI

Project Manager: Mae Willkom
Project Manager address: PO Box 4001 Eau Claire WI 54702-4001
Project Manager phone: 715-839-3748
Project Manager e-mail address mae.willkom@dnr.state.wi.us

Bid Announcement Date	11/7/2005
Questions or requests for information must be submitted in writing and received by:	11/21/2005 4:00 PM
Responses to the questions will be posted (and if requested, sent in writing) by:	12/9/2005
Bid End Date and Time:	12/23/2005 by Noon

The case file including report(s) and other pertinent information upon which bids are being sought, and the qualified bid response, when determined, are available for inspection at:

Department of Natural Resources, 1300 W Clairemont, Eau Claire WI

Please contact the project manager listed above for an appointment.

Copies of report(s) and other pertinent information may be available for purchase at the location listed below. If pertinent information is not available, please contact the project manager.

Quality Quick Print, 1213 Menomonie St, Eau Claire WI 54703

Phone: 715-836-0049

Fax: 715-836-7704

SECTION 2 – Site-Specific Bid Specification Requirements:

A) Project Manager Comments

1) General Comments:

This former cheese factory site is in a rural setting. After removal of a 500-gallon leaded gasoline tank, an investigation found contamination above the NR 140 ES within 15 feet of an on-site potable well. In addition, there is an off-site potable well within 100 feet of this site (located across Cty Hwy S). Sandstone starts at about 10 feet bgs and the water table is found within the sandstone at about 16 feet below ground surface (bgs). Based on the MW-4 boring, competent bedrock in the source area is as shallow as approximately 6 feet bgs. Monitoring well locations are depicted in the "Site Layout Map" of a METCO letter report dated January 15, 2004.

The former tank site is along a county highway. Space for remedial activity is restricted by the former cheese factory building and an adjacent retaining wall, roughly 20 feet from the edge of the highway pavement. We assume that excavation in this area may compromise the integrity of the retaining wall and building foundation and would be limited in terms of removing contaminants from the shallow bedrock. For this reason excavation may not be feasible and this bid is for an active system.

This bid scope of work is for continued site monitoring and installation and operation of a small-scale temporary soil vapor extraction (SVE) system.

2) The following Environmental Factor(s) were identified in the Site Investigation Report for this site:

- ☐ Documented expansion of the plume margin.
- ☐ Verified contaminant concentrations in a private or public potable well that exceeds the preventive action limit established under ch. 160, Stats..
- ☒ Contamination within bedrock or within 1 meter of bedrock.
- ☐ Petroleum product that is not in the dissolved phase is present with a thickness of .01 feet or more, and verified by more than one sampling event.
- ☐ Documented contamination discharges to a surface water or wetland.

3) Minimum Remedial Requirements:

Design, install, operate, maintain and monitor a temporary SVE system, beginning in Spring 2006. The system shall be installed so that soil venting operations will begin no later than April 30, 2006 and for the purposes of the bid shall continue operations to October 31, 2006. This system shall remediate to the extent practicable the contamination in the vicinity of B-1 and approximately the area of soil exceeding NR 720 standards as shown in plan and cross section view in Appendix D of the October, 1999, "LUST Investigation Report" for the site.

The temporary SVE system shall have two soil vapor extraction wells installed into bedrock in the source area, one between MW-1 and MW-4, and one located in the former tank bed (immediately adjacent to B-1). The overhead electrical utility may be an issue for installing the boring for the SVE well at B-1. If necessary, the responsible party has indicated that they will help coordinate temporary disconnection of the power so that drilling operations can proceed safely. The temporary SVE system building/trailer shall be located along the north side of the former cheese factory building, and shall be placed so as not to extend beyond the east face of the adjacent garage. An existing concrete pad may be used as a base for the building/trailer. Bidders shall be prepared to conduct 180 feet of shallow trenching for flow lines and/or utilities from the SVE wells to the building/trailer location. All piping and conduit shall be buried deep enough to allow vehicle access to the building and eliminate any tripping hazard. The responsible party has indicated that access to 220-volt power is available in the former cheese factory building.

The successful bidder will need to provide on short notice (fax or email during the bid evaluation process) a diagram showing the proposed vent well location(s) and construction details, and a specific description of the vent system that will be utilized (including the planned location, considering the limited space considerations). A sufficient response will be necessary to ultimately be considered compliant.

A brief conceptual design for this SVE system shall be also provided to the WDNR project manager for comment prior to installation. All applicable air quality monitoring requirements for this system shall be complied with. Air permeability of the sandstone and isolation of the contaminated zone to prevent short-circuiting should be considered in the system design.

For purposes of the bid, assume one season of temporary SVE operation (April 30th to October 31st) including utility costs. However, the WDNR may direct a second season (six months) of SVE operation during 2007, if necessary. Use page three of the bid response to provide contingency costs for a second season of SVE operations, should it be necessary. The contingency costs shall include the costs of the additional groundwater monitoring during the second season of system operation and for the period of time between the first and second season of system operation. If WDNR directs a second season of SVE operation, a cost cap modification may be issued by Commerce at that time using the contingency bid costs provided.

Collect an initial round of groundwater samples from all site monitoring wells prior to system startup. Provide water levels and analysis for full VOCs including EDB, MTBE, 1, 2 DCA, and Naphthalene. Bidders shall use an analytical method for EDB with the lowest practicable Limit of Detection. Subsequent rounds of analysis can be limited to the PVOC compounds and any other eligible VOCs detected in the pre-remedial sampling round.

During and after system operation, collect groundwater samples, as follows:

- Provide water level elevations at all site monitoring wells on a quarterly basis, per above.

- Sample quarterly for VOC/PVOC analysis (as applicable, per above), plus Naphthalene, in MW-1, MW-4, and MW-5.
- Sample semi-annually for PVOC analysis, plus Naphthalene, at MW-2, MW-3 and MW-6.
- Collect samples on a semi-annual basis at both the on-site potable well and the off-site potable well immediately northeast of the site. Provide analyses for full VOCs using EPA method 524.2 including EDB, MTBE, 1,2 DCA and Naphthalene. WDNR will assist with any access issues for the off-site potable well sampling if the Bidder is unable to obtain necessary access.
- Sample for NA parameters in the first post-remedial round of sampling and annually thereafter.

After SVE system shutdown, four quarterly rounds of groundwater sampling shall be conducted for confirmation of the effectiveness of natural attenuation, according to the same schedule and analytical requirements listed above.

The WDNR may direct an additional four quarterly rounds of post-remedial groundwater sampling, if necessary. Use page three of the bid response to provide contingency costs for four additional rounds of groundwater monitoring based on the analytical requirements listed above. If WDNR does direct an additional four quarterly rounds of post-remedial groundwater sampling, a cost cap modification may be issued by Commerce at that time using the contingency bid costs provided.

Provide a brief status report in letter format on a quarterly basis with updated tables and maps showing water table elevations, any soil or groundwater analytical data, and lab reports as they are received. At each status report, consultant should review the data and system performance, adjust the system for peak efficiency, and recommend to the WDNR project manager that closure is likely available, as soon as the site appears to meet the closure criteria.

While this bid is not a bid to closure, there is a possibility of attaining closure after either the first or second year of post-system natural attenuation groundwater monitoring. If closure is available (as a recommendation with justification in an update report) and the DNR Project Manager concurs, prepare and submit a complete closure report and GIS Registry packet (consistent with NR 726 requirements) for closure consideration.

Site-specific RCL calculations must be provided at the time of closure [using NR 720.19 (5) criteria and the EPA soil screening calculator] for the soil sample results at G-2-1 (0-4 feet), unless a confirmation sample is collected at this location.

Bidders should include all closure-related costs (including final well/remedial system abandonment costs) in their bid total. Page three of the bid response, provides separate line items (2) for closure-related costs.

Bidders shall provide costs for the items in the table on the 3rd Page of the Bid Response. If a completed 3rd Page is not included with the Bid Response, the Bid Response will be determined to be non-responsive. The winning bidder will not be allowed to move costs between the scope of work items without prior Commerce approval.

On page 3 of the bid response provide a tabulation of total bid costs. The lowest cost bid will be determined based on the total bid amount. The initial cost cap will be based on the amount provided by the winning bidder for the first three line items (through one year of post-system groundwater monitoring). Subsequent cost cap modifications will be determined following the successful completion of all the activities under the initial cost cap. Approval shall be obtained through a request to Commerce (the WDNR project manager shall be copied) for a change order. The request shall include total costs incurred to-date under the existing cost cap. The subsequent cost cap may be determined using the values provided on page 3 of the bid response.

B) Bidder's Strategy for Remedial Action

- 1) Identify the remedial strategy for a specified work scope.
- 2) Specifically describe what element of your proposed strategy will address the environmental factors/risk factors listed above. Also describe how, when, and why it will address them.
- 3) Provide a detailed description of the work to be performed. The description shall provide sufficient detail to establish that the proposed strategy will be successful in achieving a specified work scope identified above.
 - a) The detailed description may include, but is not limited to the following:
 - Technologies
 - Estimated years of operation
 - Estimated tons of soil
 - Approximate geometry/depth of excavation
 - Reporting details
 - Estimated years of monitoring
 - Frequency of sampling/number of wells/parameters
- 4) Specifically describe how you will address off-site contamination, if applicable.
- 5) Specifically describe how you will address any direct contact hazards, if applicable.

SECTION 3 - Conditions of Bid:

The successful bidder will be the entity that complies with all provisions of the bid specification and provides the lowest total cost, excluding interest and claim preparation costs, for the site-specific bid specification requirements described in Section 2. PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional control and notices as required under §NR 726 Wis. Admin. Code. In preparing the bid, the bidder must assume compliance with all applicable codes, including but not limited to §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The successful bidder will be determined based upon conformance to and competitiveness under the bid protocol. The first determination will be whether the

bidder has complied with all provisions of the bid. These bids will be considered responsive. From the responsive bids, the lowest total cost bid with an approvable approach to a specified work scope will be determined. Claim preparation costs will not be a part of the cost cap established by this bid. These costs (\$500 maximum per claim submittal) are still eligible for PECFA reimbursement and Commerce encourages timely claim submittals at appropriate milestones. Therefore, bidding consultants should not include claim preparation costs in their bid responses.

The successful bid will be available to be viewed at the location identified in Section 1. If two or more bidders tie in the cost comparison, the bid with the lowest consulting cost will be used as the tiebreaker. All bid documents must be signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin Department of Regulation and Licensing.

The Department reserves the right to reject any and all bids that meet any of the following conditions:

- The Department believes the remedial strategy is not appropriate to a specific geologic setting.
- From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

The name of the successful bidder, bid amount, proposed outcome and supporting documentation will be provided to the site claimant along with instructions to inform the PECFA program in writing of their intent to either:

- Use the lowest identified bidder or
- Use another service provider.

In either case, PECFA reimbursement is capped at the dollar amount of the successful bid.

A successful bid does not mean or guarantee that all costs in a resultant claim are eligible, reasonable, necessary or reimbursable under the PECFA program.

If a bidder fails to comply with a bid provision the bid response will be determined to be non-responsive. If the bid response is responsive, but not the lowest cost service provider with an appropriate approach, it will be determined to be “non-successful.” Non-responsive and non-successful bidders will not be individually informed of their failure to achieve compliance with the bid specifications or to be the lowest bidder.

The successful bidder may be required to provide input to, and attend a meeting with the PECFA program and the claimant to explain the bid and the remedial approach.

Appeals, by bidders, of decisions regarding complying bids or costs are not allowed, as they do not constitute claimant reimbursement decisions under the PECFA program.

In compliance with this invitation to bid and subject to all conditions thereof, the signatory agrees to the following:

- If the signatory's bid is determined to be successful, the signatory must, within 15 days of the Department's notification, contact the claimant and confirm that they will provide the remedial services at the cost described within the Bid Response.
- That for a period of 90 days, starting with the Department's notification to the claimant, the signatory will hold firm their commitment to provide the remedial services and prices set forth in the Bid Response.

Failure to abide with the conditions stated above may result in exclusion from future PECFA Public Bidding events.

Questions, answers and interpretations will be considered an amendment of this solicitation. All answers and interpretations shall be in writing from the Program Manager identified in Section 1 of this solicitation. Neither the program nor the Department shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date. After the date by which questions must be submitted by, identified in Section 1, no further questions will be addressed.

A written response will be provided at: <http://www.commerce.state.wi.us/ER/ER-PECFA-SiteBidding.html> (and mailed to all requesters of the bid package who are not able to access the web site, and who therefore request written correspondence from the program contact).

SECTION 4 - Closure Specifications – If Applicable:

A bid submitted must provide the total cost, excluding interest but including all closure costs, for the remediation up to approval as a closed remedial action status identified below:

Unrestricted Closure
Closure with a NR 140 exemption
Closure with GIS Registry*
Closure with deed notice*
Closure with deed restriction*
Closure with NR 720.19 soil standards

Performance based NR 720.19 closure
Closure with site-specific conditions
Closure under NR 726.07
Closure under Comm 46/NR 746
Mass reduction

** **Note:** PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. PECFA eligible costs may include all closure costs, up to approval as a closed remedial action (i.e. monitoring well abandonment) that are otherwise eligible for reimbursement.*

If the PECFA maximum award for the site/occurrence is not believed to be adequate to remediate the site/occurrence to a closed or no further remedial action status, that belief must be specifically noted in the bid and the remedial effort that will be achieved by the bid amount. For the purpose of the competitive bid the contaminant mass is determined to be: **Not Applicable**. The basis for specifying the progress shall be contaminant mass reduction and be based upon the mass reduction at the following points on the site:

Not Applicable

If the site is reasonably expected to exceed its cap under the PECFA program, bidders may propose mass reduction, the lowest bidder will be determined on the basis of a cost per mass reduction ratio. If some bidders propose mass reduction and others propose costs to bring the site to a closed remedial action or no further action status, selection will be from those bidders proposing a closed or no further action result.

SECTION 5 - Instructions to Bidders:

By submission of a bid, bidder agrees that during the period following issuance of this solicitation and prior to notification of successful bidder, bidders shall not discuss the bid or bid process except with the program contact designated in this solicitation. Bidders shall not discuss or attempt to negotiate with the claimant, other potential bidders or program staff any aspects of the bid without prior approval of the Project Manager specified. Infractions will result in rejection of the violator's bid and may also result in disqualification of the individual to provide bids and a formal complaint being lodged with the Department of Regulation and Licensing.

The bid submitted shall address all the site specific bid specification requirements identified in Section 2. The bid shall support in detail the strategy to achieve a specified work scope, or remedial mass reduction goal if applicable. A full remedial action plan is not required as part of the bid submittal. A full remedial action plan may be requested by the program.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Project Manager. If the Project Manager is not able to arrange site access, this fact will not delay the bid process or negate the comparison and potential selection from among the bids that are submitted. All costs associated with a site visit or preparation of a bid will be the responsibility of the bidder.

The Bid Process must conform to the following:

1. If applicable, the closed remedial or no further action status to be achieved must be stated using the options available from the list provided in Section 4.
2. Indicate in the Bid Response a contaminant mass reduction proposal if the PECFA maximum award is not believed to be adequate to remediate the site/occurrence.
3. The Bid Response shall address all the site specific bid specification requirements identified in Section 2 and shall support in sufficient detail and succinctly the remedial strategy.
4. The total cost (in dollars) to accomplish the stated remedial goal, including all fees, reporting cost, pre and post closure costs and costs for establishing restrictions or institutional controls but, excluding claim preparation costs, interest, and investigation costs.
5. The costs specified in #4 shall separately identify consulting (non-commodity) costs.
6. The submittal must include an original and two (2) copies of the Bid Response documents signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. Include the appropriate registration number of the professional license.
7. Bids can not be "faxed" directly to the program. Documents received by fax will not be accepted or considered.
8. Bids, amendments thereto or withdrawal requests must be received by the time advertised for bid opening. It is the bidder's sole responsibility to insure that these documents are received by the contact at the time indicated in this solicitation document.
9. All specifications or descriptive papers provided with the bid submission must include the bidder's telephone number and Commerce number thereon. Identify the name of the consulting firm on the 1st Page of the Bid Response.
10. The Commerce Number must be on the outside of the envelope in which the bid is submitted. The Department assumes no responsibility for unmarked or improperly marked envelopes. All envelopes received showing a bid number will be placed directly under locked security until the date and time of opening. Include only one Bid Response (an original and two (2) copies) per envelope.
11. Correction of errors on the bid form: All prices and notations shall be printed in ink, typewritten or computer printed. Errors shall be crossed out, corrections entered and initialed by the person signing the bid. Erasures or use of correction fluid will be cause for rejection. No bid shall be altered or amended after the time specified for the bid end date.
12. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date.
13. Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

14. From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.
15. If bidders consider the bid response to be proprietary information and exempt from disclosure, each part of the Bid Response must clearly marked *CONFIDENTIAL*. If any part is designated as confidential, there must be attached to that part an explanation of how the information is proprietary. The Department reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the State, Department or its agents for its determination in this regard.
16. The Bid Response must be appropriate to the site geologic setting.
17. Ambiguous bids, which are uncertain as to cost, time or compliance with this solicitation, will be rejected.
18. The Department reserves the right to reject any and all bids, and/or to cancel this solicitation at any time.
19. Each bidder shall fully acquaint itself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this solicitation. The failure or omission of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
20. All amendments to and interpretations of this solicitation shall be in writing from the Project Manager. Neither the Department nor the program shall be legally bound by any amendment or interpretation that is not in writing.
21. This solicitation is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this solicitation to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The solicitation may or may not be changed but a review of such notification will be made prior to award.

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: James Scrivner Property
(Former Cheese Factory)
COMMERCE NUMBER: 54665-9533-95
BRRTS NUMBER: 03-63-175844

Submit Bid To: Cathy Voges
Department of Commerce PECFA Program
201 W Washington Ave, Madison WI 53703-2790 or
P.O. Box 8044, Madison WI 53708-8044

Bidder Company: _____
Bidder Address: _____

Telephone: () -
Fax Number: () -
e-mail Address: _____

Bidder: (check one that applies):

_____ Professional Engineer	_____ License #
_____ Professional Geologist	_____ License #
_____ Hydrologist	_____ License #
_____ Soil Scientist	_____ License #

Seal

Signature: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Print Name: _____

Title: _____

Total Bid Cost \$ _____

Total Consulting Cost (subpart of Total Bid) \$ _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: James Scrivner Property
(Former Cheese Factory)
COMMERCE NUMBER: 54665-9533-95
BRRTS NUMBER: 03-63-175844

Consulting Firm phone number () ____ - ____

This response must address all of the site-specific specifications identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm telephone number must be included on all additional pages.* The pages of each Bid Response must be **stapled** together. No paper clips or spiral bindings please.

BID RESPONSE
(3rd Page)

Department of Commerce PECFA Program

SITE NAME: James Scrivner Property
(Former Cheese Factory)
COMMERCE NUMBER: 54665-9533-95
BRRTS NUMBER: 03-63-175844

Consulting Firm phone number () ____-____

A bid will be considered to be non-complaint if the bid response does not include separate tabulation of cost for each activity.

Pre-remedial groundwater sampling round	\$
Installation/operation of a temporary SVE system (including all utility costs) for six months. Includes groundwater sampling during SVE operation and reporting	\$
Groundwater sampling for natural attenuation confirmation following SVE operation (includes reporting)	\$
All closure-related costs (including but not limited to closure report, GIS Packet, SSRCL calculation) except well abandonment costs	\$
Well/remedial system abandonment costs.	\$
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Total Bid Amount (sum) → also include on Page 1 of bid response	\$
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Contingency cost: additional season (six months) of temporary SVE operation (includes groundwater sampling between 1 st and 2 nd season of SVE operation , groundwater sampling during SVE operation and reporting costs)	\$
Contingency cost: additional year of post-system natural attenuation monitoring and reporting.	\$